

2-20-20
N. D'Amico

ICC Definitions:

Accessible: access without the necessity for removing a panel or similar obstruction

Dwelling Unit: a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Wilton's Definition:

Accessory Use a use of a lot or building which is occasioned by and subordinate to the permitted primary use of that lot or building and is customarily or habitually associated with it.

Dwelling: A building containing one or more dwelling units used for non-transient occupancy. The term "dwelling" includes but is not restricted to private homes, apartment buildings, condos and townhouses.

Duplex or two family dwelling: A building containing two (2) dwelling units attached, designed or arranged as separate housekeeping units within the dwelling.

Permit for:

Finishing basement space 784 sq. feet contains an office (11x11) and living room (15x18), a full bathroom and a kitchenette with a counter, kitchen sink, refrigerator and microwave (but no stove)

Is this an ADU?

Is this just a "man cave"?

DWELLING UNIT PER IRC 2015

Home Owner: GALLO, SANDRA Property Location: 120 HOLT ROAD, PO BOX 119 WILTON, NH 03086

IRC DEFINITIONS CHAPTER 2

Dwelling Unit: A single unit providing complete independent living facilities for one or more persons, including provisions for living, sleeping, eating & cooking and sanitation.

Kitchen: Kitchen shall mean an area used or designated to be used for the preparation of food.

R306.2 Notes a Kitchen shall have a sink.

Bathroom: A group of fixtures consisting of a water closet, lavatory and a tub or shower. These fixtures are located together on the same floor level.

Sleeping Unit: IRC refers to N1101.6 - - IECC page C-11 defines sleeping unit as: A room or space in which people sleep which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

TOWN OF WILTON DEFINITIONS:

3.1.1-a Accessory Use. A use of a lot or building which is occasioned by and subordinate to the permitted primary use of that lot or building, and is customarily or habitually associated with it. (Adopted March 2005); (Amended March 2009)

3.1.7 Dwelling Unit. One or more living or sleeping rooms arranged for the use of one or more individuals living as a single-family housekeeping unit, with cooking, living, sanitary and sleeping facilities. (See also "Lodging Unit".)

5.1 Permitted Uses – Residential District:

A building may be erected, altered or used and a lot may be used or occupied for:

Single family and duplex family dwellings and accessory uses.

Multi-family dwellings containing three dwelling units with site plan approval by the Planning Board.

A maximum of three (3) dwelling units per lot is allowed for any new construction on Town water and sewer and a maximum of two (2) dwelling units per lot in the remainder of this district.

Only one dwelling per lot is allowed except as provided by the Cluster Development Ordinance. The number of dwelling units per building shall be determined by the density provisions of this section.

5.5 Accessory Dwelling Units. (Adopted March 2017)

This section implements the requirements of **RSA 674:72, "Accessory Dwelling Units."** In file

5.5.1 Existing Dwellings. A second dwelling unit may be added to any legally existing single-family dwelling located in a zoning district where residential uses are permitted, subject to the requirements set forth below. The second dwelling unit may be created in existing space in the dwelling or in a newly constructed addition to the dwelling.

5.5.2 New Construction. A two-family dwelling may be constructed on any lot where a single-family dwelling may legally be constructed, subject to the requirements set forth below.

5.5.3 Requirements. The following requirements apply only to development which would not be permitted other than by this section.

The two dwelling units must have independent means of ingress and egress, or have ingress and egress through a common space such as a shared hallway to an exterior door.

The two dwelling units must share a common interior wall, and there must be an interior door between the two dwelling units.

At least one of the two dwelling units must be the principal residence of at least one owner of the dwelling. The two dwelling units must remain in common ownership. Transfer of either dwelling unit to condominium ownership is not permitted. Violation of the requirements of this paragraph will result in the revocation of the Certificate of Occupancy for the two-family use of the dwelling.

At least one of the two dwelling units must have no more than two bedrooms, and a living area of no more than 800 square feet.

Requirements for water supply and sewage disposal are the same as for any two-family dwelling. Addition of a second dwelling unit to an existing single-family dwelling under section 5.5.1 shall be subject to RSA 485-A:38, "Approval to Increase Load on a Sewage Disposal System."

Off-street parking shall be provided for one car for each one-bedroom dwelling unit in the dwelling, and for two cars for each dwelling unit having two or more bedrooms, and shall satisfy any setback requirements pertaining to parking in that Zoning District.

A newly constructed addition under section 5.5.1 shall satisfy the setback requirements of the zoning district.

25.5.4 Impact fees shall be collected as a condition for the issuance of a Certificate of Occupancy.
(Amended March 2011)

25.10 Appeal of Impact Fee Assessment (Adopted March 2011)

A party aggrieved by a decision made by the Building Inspector or other Town official relating to an administrative decision in the assessment or collection of impact fees authorized by this Article may appeal such decision to the Zoning Board of Adjustment as provided by RSA 676:5, as amended.